

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

- [1] FRANCISCO ZAETON-PABON,
a.k.a. "Paquito";
(Counts 1 and 2)
- [2] MIGUEL A. O'CONNER-COLON,
a.k.a. "Miguel La Cabra";
(Counts 1, and 2)
- [3] LUIS OQUENDO- FIGUEROA,
a.k.a. "El Monstruo";
(Counts 1 and 2)
- [4] JAVIER RODRIGUEZ- MENDEZ,
a.k.a. "Javier Nightmare";
(Counts 1 and 2)
- [5] LUIS A. ARENAS-QUIROS,
a.k.a."Pipeta";
(Counts 1 and 2)
- [6] MIGUEL A. O'CONNER-COLON,
a.k.a. "Negro";
(Counts 1 and 2)
- [7] HERIBERTO GUADALUPE-
MERCADO, a.k.a. "Bistoque";
(Counts 1 and 2)
- [8] RICHARD RAMIREZ-VARGAS,
a.k.a. "Clavo";
(Counts 1 and 2)
- [9] CARLOS G. VELAZQUEZ-BURGOS,
a.k.a. "Gerald";
(Counts 1 and 2)
- [10] MIGUEL A. O'CONNER-COLON,
a.k.a. "Mitchie";
(Counts 1 and 2)

SUPERSEDING
INDICTMENT

Criminal No. 00-048(JAF)

Violations:

Title 18, United States Code,
Section 1956(h)

Title 18, United States Code,
Section 982

Title 21, United States Code,
Section 846

Two Counts

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SUPERSEDING INDICTMENT

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[11] MIGUEL A. O'CONNER-COLON,
a.k.a. "Yuça";
(Counts 1 and 2)

[12] REYNALDO RUIZ-TORRES,
a.k.a. "Rey";
(Counts 1 and 2)

[13] LUIS GARCIA-CEDENO,
a.k.a. "Pangue";
(Counts 1 and 2)

[14] EDWIN GARCIA-CEDENO;
(Counts 1 and 2)

[15] CARLOS J. PENA-VEGA,
a.k.a. "Baby";
(Counts 1 and 2)

[16] JOSE M. FEBLES,
a.k.a. "Moreno";
(Counts 1 and 2)

[17] MIGUEL A. O'CONNER-COLON,
a.k.a. "Bebe";
(Counts 1 and 2)

[18] MARIO COLON, a.k.a. "Barbu";
(Counts 1 and 2)

[19] LUIS TORRES-RUIZ,
a.k.a. "Pega Tres";
(Counts 1 and 2)

[20] JESSIE A. QUINONES-TORRES;
(Counts 1 and 2)

[21] LUIS JAVIER TELLADO-ROSARIO;
(Counts 1 and 2)

[22] JULIO C. PEREZ-RUIZ,
a.k.a. "Goyito";
(Counts 1 and 2)

[23] DANNY ORTIZ-PEREZ,
a.k.a. "Pelusan";
(Counts 1 and 2)

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[24] EDDIE O. MORALES-VELAZQUEZ

a.k.a. "Husky";

(Counts 1 and 2)

[25] JOSUE ACOSTA-TORRES,

a.k.a. "Chefo";

(Counts 1 and 2)

[26] EDWIN PIZARRO-RODRIGUEZ,

a.k.a. "Tres Lagrimas";

(Counts 1 and 2)

[27] MIGUEL H. COLON-SOLIS,

a.k.a. "Miguel Platano";

(Counts 1 and 2)

Defendants.

THE GRAND JURY CHARGES:

COUNT ONE

From on or about 1992, and continuing until the return of this indictment, in the District of Puerto Rico and elsewhere, and within the jurisdiction of this Court,

[1] FRANCISCO ZAETON-PABON,

a.k.a. "Paquito";

[2] MIGUEL A. O'CONNER-COLON,

a.k.a. "Miguel La Cabra";

[3] LUIS OQUENDO- FIGUEROA,

a.k.a. "El Monstruo";

[4] JAVIER RODRIGUEZ- MENDEZ,

a.k.a. "Javier Nightmare";

[5] LUIS A. ARENAS-QUIROS,

a.k.a."Pipeta";

[6] MIGUEL A. O'CONNER-COLON,

a.k.a. "Negro";

[7] HERIBERTO GUADALUPE-MERCADO,

a.k.a. "Bistoque";

[8] RICHARD RAMIREZ-VARGAS,

a.k.a. "Clavo";

[9] CARLOS G. VELAZQUEZ-BURGOS,

a.k.a. "Gerald";

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- [10] MIGUEL A. O'CONNER-COLON,
a.k.a. "Mitchie";
- [11] MIGUEL A. O'CONNER-COLON,
a.k.a. "Yuca";
- [12] REYNALDO RUIZ-TORRES,
a.k.a. "Rey";
- [13] LUIS GARCIA-CEDENO,
a.k.a. "Pangue";
- [14] EDWIN GARCIA-CEDENO;
- [15] CARLOS J. PENA-VEGA,
a.k.a. "Baby";
- [16] JOSE M. FEBLES,
a.k.a. "Moreno";
- [17] MIGUEL A. O'CONNER-COLON,
a.k.a. "Bebe";
- [18] MARIO COLON,
a.k.a. "Barbu";
- [19] LUIS TORRES-RUIZ,
a.k.a. "Pega Tres";
- [20] JESSIE A. QUINONES-TORRES;
- [21] LUIS JAVIER TELLADO-ROSARIO;
- [22] JULIO C. PEREZ-RUIZ,
a.k.a. "Goyito";
- [23] DANNY ORTIZ-PEREZ,
a.k.a. "Pelusan";
- [24] EDDIE O. MORALES-VELAZQUEZ
a.k.a. "Husky";
- [25] JOSUE ACOSTA-TORRES,
a.k.a. "Chefo";
- [26] EDWIN PIZARRO-RODRIGUEZ,
a.k.a. "Tres Lagrimas"; and
- [27] MIGUEL H. COLON-SOLIS,
a.k.a. "Miguel Platano"

the defendants herein, did, knowingly and intentionally, combine, conspire, and agree with each other and with divers other persons to the grand jury known and unknown, to commit an offense against the United States, to wit, to knowingly and intentionally distribute multi-kilogram quantities of controlled substances, that is to say, in excess of one (1) kilogram

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of heroin, a Schedule I Narcotic Drug Controlled Substance, in excess of five (5) kilograms of cocaine, a Schedule II Narcotic Drug Controlled Substance, in excess of fifty (50) grams of cocaine base, a Schedule II Narcotic Drug Controlled Substance, as prohibited by Title 21, United States Code, Section 841(a)(1).

I. OBJECT OF THE CONSPIRACY

The object of the conspiracy was to distribute heroin, cocaine, cocaine base (commonly known as "crack" cocaine), at La Ferran and Chino Wards located in Ponce, Puerto Rico, the Caracoles Wards located in Peñuelas, Puerto Rico, and the Esperanza Ward located in Guanica, Puerto Rico, for significant financial gain or profit.

II. MANNER AND MEANS USED TO ACCOMPLISH THE CONSPIRACY

The manner and means by which the defendants and co-conspirators would further and accomplish the objects of the conspiracy included among others the following:

1. They would purchase multi-kilogram quantities of heroin, marihuana and cocaine at wholesale prices for subsequent sale at the La Ferran, Chino, Caracoles and Esperanza Wards in the southern part of Puerto Rico..
2. They would cook part of the cocaine purchased and create cocaine base (crack), which was also packaged in small packages for subsequent sale at the above mentioned wards in the southern part of Puerto Rico.
3. They would use residences and other locations in order to store and package the heroin and cocaine.

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4. They would use residences and other locations in order to conceal the drug trafficking proceeds.

5. They would possess firearms in order to protect themselves and the drug points from others competing drug organizations.

6. They would beat and/or kill those individuals that stole money and/or narcotics from the drug point.

7. They would possess radios and scanners in order to conduct surveillance of law enforcement personnel and/or intercept their communications.

8. It was further part of this conspiracy to purchase properties and place them in the name of third parties in order to conceal same from law enforcement personnel.

III. ROLES OF THE MEMBERS OF THE CONSPIRACY**A. Leader**

1. [2] **MIGUEL O' CONNOR-COLON**, a.k.a. "**Miguel La Cabra**," was the leader and organizer of this drug-trafficking organization. He did lead, organize, control, enforce through the use of violence, and supervise the sales of controlled substances at the drug point located at the Ferran Ward in Ponce, Puerto Rico. He supplied narcotics to drug points located at the Caracoles Wards in Peñuelas, Puerto Rico, the Chino Ward located n Ponce, Puerto Rico and the Esperanza Ward located in Guanica, Puerto Rico. He did direct and supervise numerous subordinates whose principal tasks were: (a) to supply sellers with the drugs to be sold and collect the proceeds derived from their sale at the drug point; (b) to package drugs for subsequent sale at the drug point; (c) to provide

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protection to both himself and the illegal narcotics being sold at the drug point and the proceeds of the sales ; (d) to accompany him to purchase kilograms of cocaine in Ponce, Puerto Rico, and other locations for further distribution at the drug point; and (e) to conceal narcotics, firearms, and drug proceeds at their residences.

2. [1] **FRANCISCO ZAETON-PABON**, a.k.a. "Paquito"; and [3] **LUIS OQUENDO- FIGUEROA**, a.k.a. "El Monstruo"; were the owners of the drug points located at the Caracoles Wards in Peñuelas, Puerto Rico. The narcotics sold at the point were supplied by [2] **MIGUEL O' CONNOR-COLON**, a.k.a. "Miguel La Cabra." [1] **FRANCISCO ZAETON-PABON**, a.k.a. "Paquito"; and [3] **LUIS OQUENDO- FIGUEROA**, a.k.a. "El Monstruo", did direct and supervise numerous subordinates whose principal tasks were: (a) to supply sellers with the drugs to be sold and collect the proceeds derived from their sale at the drug point; (b) to package drugs for subsequent sale at the drug point; (c) to provide protection to both himself and the illegal narcotics being sold at the drug point and the proceeds of the sales.

3. [4] **JAVIER RODRIGUEZ-MENDEZ**, a.k.a. "Javier Nightmare" was the owner of the marihuana sold at the Ferran Ward located in Ponce, Puerto Rico, and the owner of a drug point located at the Chinos Ward in Ponce, Puerto Rico. The cocaine sold at the Chinos drug point was supplied by [2] **MIGUEL O' CONNOR-COLON**, a.k.a. "Miguel La Cabra.". [4] **JAVIER RODRIGUEZ-MENDEZ**, a.k.a. "Javier Nightmare", did direct and supervise numerous subordinates whose principal tasks were: (a) to supply sellers with the drugs to be sold and collect the proceeds derived from their sale at the drug

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point; (b) to package drugs for subsequent sale at the drug point; (c) to provide protection to both himself and the illegal narcotics being sold at the drug point and the proceeds of the sales.

4. [5] **LUIS A. ARENAS-QUIROS, a.k.a."Pipeta"**; was the owner of a drug point located at the Esperanza Ward in Guanica, Puerto Rico. The narcotics sold at the point were supplied by [2] **MIGUEL O' CONNOR-COLON, a.k.a. "Miguel La Cabra."** [5] **LUIS A. ARENAS-QUIROS, a.k.a."Pipeta"**, did direct and supervise numerous subordinates whose principal tasks were: (a) to supply sellers with the drugs to be sold and collect the proceeds derived from their sale at the drug point; (b) to package drugs for subsequent sale at the drug point; (c) to provide protection to both himself and the illegal narcotics being sold at the drug point and the proceeds of the sales.

B. Runners

1. [2] **MIGUEL O' CONNOR-COLON, a.k.a. "Miguel La Cabra"** would employ runners for his drug trafficking organization. These runners would receive packaged narcotics and deliver them to the sellers for sale at the drug point and would also collect the proceeds derived from sales already completed by the sellers. Runners would be responsible for the status of the inventory of illegal narcotics sold at the drug points and for supervising the operations of the drug point. Among the co-conspirators that acted as runners for the drug point located at the Ferran Ward located in Ponce, Puerto Rico, were [6] **MIGUEL A. O'CONNER-COLON, a.k.a. "Negro"; [7] HERIBERTO GUADALUPE-MERCADO, a.k.a. "Bistoque"; [8] RICHARD RAMIREZ-VARGAS, a.k.a. "Clavo";[9]**

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CARLOS G. VELAZQUEZ-BURGOS, a.k.a. "Gerald"; [10] MIGUEL A. O'CONNOR-COLON, a.k.a. "Mitchie"; [11] MIGUEL A. O'CONNOR-COLON, a.k.a. "Yuca"; [12] REYNALDO RUIZ-TORRES, a.k.a. "Rey"; [27] MIGUEL H. COLON-SOLIS, a.k.a. "Miguel Platano" and others.

2. [1] **FRANCISCO ZAETON-PABON, a.k.a. "Paquito"; and [3] LUIS OQUENDO- FIGUEROA, a.k.a. "El Monstruo",** would employ runners for the drug points located at the Caracoles Wards in Peñuelas, Puerto Rico. These runners would receive packaged narcotics from [1] **FRANCISCO ZAETON-PABON, a.k.a. "Paquito"; and [3] LUIS OQUENDO- FIGUEROA, a.k.a. "El Monstruo"** and deliver them to the sellers for sale at the drug point and would also collect the proceeds derived from sales already completed by the sellers. Runners would be responsible for the status of the inventory of illegal narcotics sold at the drug points and for supervising the operations of the drug point. Among the co-conspirators that acted as runners for the drug points located at the Caracoles Wards in Peñuelas, Puerto Rico, were [8] **RICHARD RAMIREZ-VARGAS, a.k.a. "Clavo", [20] JESSIE A. QUINONES-TORRES; [21] LUIS JAVIER TELLADO-ROSARIO; [22] JULIO C. PEREZ-RUIZ, a.k.a. "Goyito", and others.**

C. Enforcers

[2] **MIGUEL O' CONNOR-COLON, a.k.a. "Miguel La Cabra,"** had enforcers who were part of this drug-trafficking organization. These enforcers would possess, carry, use and brandish firearms, using them to provide protection to the leader of the organization as well as to the drug operations of the conspiracy from rival drug-trafficking organizations.

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Among the persons that acted as enforcers were [1] FRANCISCO ZAETON-PABON, a.k.a. "Paquito"; [3] LUIS OQUENDO- FIGUEROA, a.k.a. "El Monstruo"; [22] JULIO C. PEREZ-RUIZ, a.k.a. "Goyito"; [20] JESSIE A. QUINONES-TORRES; [6] MIGUEL A. O'CONNELL-COLON, a.k.a. "Negro"; [7] HERIBERTO GUADALUPE-MERCADO, a.k.a. "Bistoque"; [12] REYNALDO RUIZ-TORRES, a.k.a. "Rey", and others.

D. Drug Processors, Concealers and Sellers

[2] MIGUEL O' CONNELL-COLON, a.k.a. "Miguel La Cabra," would employ individuals that concealed the narcotics and firearms in their residences processed and/or sold the narcotics at the Ferran Ward in Ponce, Puerto Rico, among them were [13] LUIS GARCIA-CEDENO, a.k.a. "Pangue"; [14] EDWIN GARCIA-CEDENO;[15] CARLOS J. PENA-VEGA, a.k.a. "Baby"; [16] JOSE M. FEBLES, a.k.a. "Moreno"; [17] MIGUEL A. O'CONNELL-COLON, a.k.a. "Bebe", [18] MARIO COLON, a.k.a. "Barbu"; [19] LUIS TORRES-RUIZ, a.k.a. "Pega Tres", and others.

[1] FRANCISCO ZAETON-PABON, a.k.a. "Paquito"; and [3] LUIS OQUENDO- FIGUEROA, a.k.a. "El Monstruo; would employ individuals that concealed the narcotics and firearms in their residences, processed and /or sold the narcotics at the Caracoles Wards in Peñuelas, Puerto Rico, among them were [23] DANNY ORTIZ-PEREZ, a.k.a. "Pelusan"; [24] EDDIE O. MORALES-VELAZQUEZ, a.k.a. "Husky"; [25] JOSUE ACOSTA-TORRES, a.k.a. "Chefo"; [26] EDWIN PIZARRO-RODRIGUEZ, a.k.a. "Tres Lagrimas" and others.

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IV. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance of this conspiracy and to effect and accomplish the objects of the same, one or more of the conspirators committed, among others, the following overt acts:

1. On or about July 17, 1992, [4] **JAVIER RODRIGUEZ-MENDEZ**, a.k.a. "Javier Nightmare" possessed one point sixty (1.60) grams of heroin.
2. On or about December 3, 1992, [14] **EDWIN GARCIA-CEDENO** possessed a measurable amount of cocaine.
3. On or about October 25, 1995, [10] **MIGUEL A. O'CONNOR-COLON**, a.k.a. "Mitchie" possessed two hundred (200) decks of heroin and four hundred and eighty-one (481) baggies of cocaine .
4. On or about November 18, 1995, [20] **JESSIE A. QUINONES-TORRES** possessed approximately point thirty-two (.32) grams of heroin.
5. On or about March 11, 1996, [1] **FRANCISCO ZAETON-PABON**, a.k.a. "Paquito," and [3] **LUIS OQUENDO-FIGUEROA**, a.k.a. "El Monstruo," in Ponce, Puerto Rico, killed Efrain Rosario Vazquez and Mario Vazquez, a.k.a. "Mario Orejas", in Ponce, Puerto Rico.
6. On or about April 20, 1996, [22] **JULIO C. PEREZ-RUIZ**, a.k.a. "Goyito" illegally possessed a pistol.
7. On or about October 26, 1996, [1] **FRANCISCO ZAETON-PABON**, a.k.a. "Paquito," possessed four hundred and fifty-two (452) grams of marihuana.

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8. On or about March 7, 1997, [1] FRANCISCO ZAETON-PABON, a.k.a. "Paquito," possessed approximately one (1) kilogram of cocaine.

9. On or about February 26, 1998, [5] LUIS A. ARENAS-QUIROS, a.k.a."Pipeta,"and [10] MIGUEL A. O'CONNOR-COLON, a.k.a. "Mitchie," possessed ninety-nine (99) baggies of cocaine and four(4) baggies of cocaine base (crack).

10. On or about July 13, 1998, [14] EDWIN GARCIA-CEDENO possessed approximately twenty-nine point eighty-five (29.85) grams of cocaine.

11. On or about October 9, 1998, [1] FRANCISCO ZAETON-PABON, a.k.a. "Paquito," and Jaime Garcia-Torres, a.k.a. "Coque" (not indicted herein), killed Jose Morales-Sarriera, a.k.a. "Toñito Culon", in Ponce, Puerto Rico.

12. On or about September 3, 1999, [23] DANNY ORTIZ-PEREZ, a.k.a. "Pelusan," possessed approximately seven hundred and thirty-two (732) baggies of cocaine.

13. On or about September 3, 1999, [24] EDDIE O. MORALES-VELAZQUEZ, a.k.a. "Husky," possessed approximately one thousand seven hundred and sixty-four dollars (\$1,764.00), that were drug proceeds.

14. On or about September 14, 1999, [9] CARLOS G. VELAZQUEZ-BURGOS, a.k.a. "Gerald," possessed over one thousand (1,000) baggies of cocaine.

15. On or about September 16, 1999, [21] LUIS JAVIER TELLADO-ROSARIO possessed a detectable amount of heroin, cocaine, paraphernalia and eight hundred and sixty-five dollars (\$865.00), that were drug proceeds.

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16. On or about October 23, 1999, [1] FRANCISCO ZAETON-PABON, a.k.a. "Paquito," possessed approximately thirteen thousand seven hundred and ninety-three dollars (\$13, 793.00), that were drug proceeds.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

From on or about 1992, and continuing until the return of this indictment, in the District of Puerto Rico and elsewhere, and within the jurisdiction of this Court,

- [1] FRANCISCO ZAETON-PABON,
a.k.a. "Paquito";
- [2] MIGUEL A. O'CONNER-COLON,
a.k.a. "Miguel La Cabra";
- [3] LUIS OQUENDO- FIGUEROA,
a.k.a. "El Monstruo";
- [4] JAVIER RODRIGUEZ- MENDEZ,
a.k.a. "Javier Nightmare";
- [5] LUIS A. ARENAS-QUIROS,
a.k.a."Pipeta";
- [6] MIGUEL A. O'CONNER-COLON,
a.k.a. "Negro";
- [7] HERIBERTO GUADALUPE-MERCADO,
a.k.a. "Bistoque";
- [8] RICHARD RAMIREZ-VARGAS,
a.k.a. "Clavo";
- [9] CARLOS G. VELAZQUEZ-BURGOS,
a.k.a. "Gerald";
- [10] MIGUEL A. O'CONNER-COLON,
a.k.a. "Mitchie";
- [11] MIGUEL A. O'CONNER-COLON,
a.k.a. "Yuca";
- [12] REYNALDO RUIZ-TORRES,
a.k.a. "Rey";
- [13] LUIS GARCIA-CEDENO,
a.k.a. "Pangue";
- [14] EDWIN GARCIA-CEDENO;

SUPERSEDING INDICTMENT

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- [15] CARLOS J. PENA-VEGA,
a.k.a. "Baby";
- [16] JOSE M. FEBLES,
a.k.a. "Moreno";
- [17] MIGUEL A. O'CONNER-COLON,
a.k.a. "Bebe";
- [18] MARIO COLON,
a.k.a. "Barbu";
- [19] LUIS TORRES-RUIZ,
a.k.a. "Pega Tres";
- [20] JESSIE A. QUINONES-TORRES;
- [21] LUIS JAVIER TELLADO-ROSARIO;
- [22] JULIO C. PEREZ-RUIZ,
a.k.a. "Goyito";
- [23] DANNY ORTIZ-PEREZ,
a.k.a. "Pelusan";
- [24] EDDIE O. MORALES-VELAZQUEZ
a.k.a. "Husky";
- [25] JOSUE ACOSTA-TORRES,
a.k.a. "Chefo";
- [26] EDWIN PIZARRO-RODRIGUEZ,
a.k.a. "Tres Lagrimas";

the defendants herein, did unlawfully, knowingly, intentionally, and willfully combine, conspire, confederate and agree together and with each other and with divers persons, both known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, including:

A. To knowingly conduct or attempt to conduct financial transactions, affecting interstate or foreign commerce, knowing that the proceeds involved in the financial transactions represented the proceeds of some form of unlawful activity, when the financial transactions in fact involved the proceeds of specified unlawful activity, to wit: the importation, sale and otherwise dealing in narcotics or other dangerous drugs, as defined in Title 21, United States Code, with the intent to promote the carrying on of specified

SUPERSEDING INDICTMENT

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unlawful activity and knowing that the transactions are designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, contrary to the provisions of Title 18, United States Code, Section 1956(a)(1);

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

Count One of the instant indictment and the contents thereof are realleged and incorporated herein by reference as if set forth fully herein and are further designated as Overt Acts in furtherance of the conspiracy charged in Count Two of this indictment.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION

A. As a result of a conviction of Counts One and Two of this indictment, which are incorporated herein by reference,

- [1] FRANCISCO ZAETON-PABON,
a.k.a. "Paquito";
- [2] MIGUEL A. O'CONNER-COLON,
a.k.a. "Miguel La Cabra";
- [3] LUIS OQUENDO- FIGUEROA,
a.k.a. "El Monstruo";
- [4] JAVIER RODRIGUEZ- MENDEZ,
a.k.a. "Javier Nightmare";
- [5] LUIS A. ARENAS-QUIROS,
a.k.a."Pipeta";
- [6] MIGUEL A. O'CONNER-COLON,
a.k.a. "Negro";
- [7] HERIBERTO GUADALUPE-MERCADO,
a.k.a. "Bistoque";
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- [10] MIGUEL A. O'CONNER-COLON,
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a.k.a. "Chefo";
- [26] EDWIN PIZARRO-RODRIGUEZ,
a.k.a. "Tres Lagrimas"; and
- [27] MIGUEL H. COLON-SOLIS,
a.k.a. "Miguel Platano"

the defendants herein, shall forfeit to the United States all property, both real and personal involved in, constituting, derived from, or traceable to proceeds obtained directly or indirectly as a result of the above mentioned offenses, to wit not more than \$21,000,000.

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B. By virtue of the involvement of the assets set forth above in violation of Title 18, Section 1956, United States Code, any and all interest of the defendants in the above described assets is forfeited to the United States pursuant to Title 18, United States Code, Section 982(a)(1) and (2).

C. Substitute Assets. In the event any of the above mentioned assets, as a result of any act or omission of the defendants:

1. cannot be located upon exercise of due diligence;
2. has been transferred or sold to, or deposited with a third party;
3. has been placed beyond the jurisdiction of this court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided without

difficulty, it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1)(A) and (B), and Title 21, United States Code, Section 853(p), United States Code, to seek forfeiture of any other property of the defendants, up to an amount equivalent to the value of the property forfeit able under Section 982(a)(1) and (2), that is, not more than twenty one million dollars (\$21,000,000.00). All in violation of Title 18, United States Code, Section 982.

TRUE BILL


Foreperson

SUPERSEDING INDICTMENT

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GUILLERMO GIL
United States Attorney

Jorge E. Vega Pacheco
Assistant U.S. Attorney
Chief Criminal Division

Miguel A. Pereira
Assistant U. S. Attorney
Deputy Chief Criminal Division

Sonia I. Torres
Assistant U.S. Attorney

Dated: June 29, 2000.